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PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Calmer, Marion	)	
Serial No.: 09/827,563	)	Examiner: Mammen, Nathan S.
Filed: 04/06/2001	)	Art Unit: 3671
For: Strategic Spatial Realignment for ) Attaching Cornheads to Combines)	)	

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1. Transmittal Form
2. Notice of Appeal
3. Petition for Extension of time (2 months) 2- copies
4. Form 2038
5. After Final rejection - Amendment (7 pages)

Total Pages Sent by Fax 13 (including this page)

APPLICANT REQUESTS CONFIRMATION OF RECEIPT VIA  
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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

Application Number	09/827,563
Filing Date	04/06/2001
First Named Inventor	Marion Calmer
Art Unit	3671
Examiner Name	Nathan Scott Mammen
Attorney Docket Number	P3098

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="border: 1px solid black; padding: 2px;">Remarks</div> <p>Enclosed is a notice of appeal and petition for a 2 month extension of time.</p>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

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PAGE 2/13 \* RCVD AT 3/22/2005 12:47:40 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-1/0 \* DNIS:8729306 \* CSID:563 823 4637 \* DURATION (mm:ss):05:42

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Jay R Hamilton

563-823-4637

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Calmer, Marion )  
Serial No.: 09/827,563 )  
Filed: 04/06/2001 )  
For: Strategic Spatial Realignment for )  
Attaching Cornheads to Combines)

) Examiner: Nathan Scott Mammen

) Art Unit: 3671

Sir:

This amendment is in response to the Advisory Office Action mailed March 8, 2005. In the advisory action, the examiner states that subject matter previously thought allowable and as found in claims 16-24 was not properly supported by the original disclosure under 35 U.S.C. 112, 1<sup>st</sup> paragraph. More particularly, the examiner does not find in applicant's original disclosure teaching for the width of the area from the 2<sup>nd</sup> conveyor to the 3<sup>rd</sup> conveyor as described and claimed by the applicant in claims 16-24.

Applicant argues that he has indeed taught the width of the area from the second conveyor to the third conveyor and the claims 16-24 as previously submitted are both allowable and supported by the original disclosure. It is well understood from applicant's description that the combine head receives and is engaged with the combine harvester at the inlet to the feeder house. Upon engagement of the combine head with the combine harvester, the auger trough outlet and the combine feeder house provide an area of engagement that is a continuous channel or space for the flow of harvested

material between the corn head and to the combine during operation of the combine harvester. Applicant's description, as emphasized below, provides that width of the area of engagement between the outlet of the auger trough and the inlet of the feeder house is to be both opposite and complimentary as described below:

**The auger trough 200 has its vertical rear side removed when it is opposite the feeder house 340 and the feeder house chain 320.**

According to Webster's Ninth New Collegiate Dictionary opposite may be defined as: **being the other of a pair that are corresponding or complementary in position, function, or nature (i.e. member of the opposite sex).**

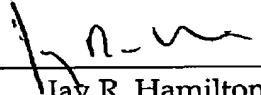
In this case, the removal of the rear vertical side of the auger trough 200 also describes the auger trough 200 outlet which is engaged or opposite to the entrance to the feeder house 340. Applicant argues that width of the cross auger trough outlet was specified by removal of the vertical rear side or wall when opposite the feeder house 340 and feeder house opening thus teaching that the outlet of the cross auger trough 200 and the inlet to the feeder house 340 are substantially the same width.

#### REMARKS

Applicant submits that the application as now presented is believed in condition for allowance and action to that request is respectfully requested. Applicant requests that the examiner allow the claims previously submitted claims and allow the application to issue.

Respectfully submitted,

MARION CALMER,

By   
Jay R. Hamilton  
Reg. No. 50,644

Date: March 21, 2005

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